

**ASSEMBLY BILL**

**No. 2485**

---

**Introduced by Assembly Member Dickinson**

February 21, 2014

---

An act to add and repeal Sections 3485 and 3486.5 of the Civil Code, relating to civil law.

LEGISLATIVE COUNSEL'S DIGEST

AB 2485, as introduced, Dickinson. Unlawful detainer: nuisance: unlawful weapons and controlled substances.

(1) Existing law defines a nuisance and includes within this definition anything which is injurious to health, including the illegal sale of controlled substances, as defined. Existing law provides that a tenant who permits a nuisance to be maintained on leased property is guilty of unlawful detainer and may be evicted. Until January 1, 2014, the law authorized a city prosecutor or city attorney to file, in the name of the people, an action for unlawful detainer to abate the nuisance caused by illegal conduct involving an unlawful weapons or ammunition on real property, as specified.

This bill would, until January 1, 2019, reenact provisions authorizing a city prosecutor or city attorney in the County of Sacramento to file an action for unlawful detainer, for property located in the City of Sacramento, to abate a nuisance caused by illegal conduct involving an unlawful weapons or ammunition or illegal sales of controlled substances. The bill would require the action to be based on an arrest report or other law enforcement report, as specified. The bill would require prior to filing an action to provide specified notice to the owner of the property, requiring the removal of the person who is violating specified law, and would require notices to be served on both tenant

and owner. The bill would require the owner to provide to the city prosecution or city attorney, within 30 calendar days of the mailing of the notice, all relevant information pertaining to the unlawful detainer case, or provide a written explanation regarding safety-related reasons for noncompliance, and an assignment of the right to bring an unlawful detainer action against the tenant. The bill would require the assignment to be on a form provided by the city prosecutor or city attorney and would authorize the form to contain a provision for costs of investigation, discovery, and reasonable attorney's fees, not to exceed \$600. The bill would permit joinder of the owner if the owner fails to respond, as specified, would give the case priority over similar proceedings, and authorize an award of specified costs and fees.

Among other things, the bill would permit a court to order a partial eviction, as specified, and would define "unlawful weapons or ammunition purpose" for the purposes. The bill would impose reporting requirements regarding the implementation of these provisions upon the city attorney and city prosecutor of the County of Sacramento and would require the California Research Bureau to submit a report to the Senate and Assembly Committees on Judiciary, as specified, summarizing the information collected and evaluating the merits of the programs established. The bill would only apply to the County of Sacramento. By imposing new duties on local officials, this bill would create a state-mandated local program.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Sacramento.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 3485 is added to the Civil Code, to read:
- 2 3485. (a) To abate the nuisance caused by illegal conduct
- 3 involving an unlawful weapons or ammunition purpose on real

1 property, the city prosecutor or city attorney may file, in the name  
2 of the people, an action for unlawful detainer against any person  
3 who is in violation of the nuisance or illegal purpose provisions  
4 of subdivision 4 of Section 1161 of the Code of Civil Procedure,  
5 with respect to that unlawful weapons or ammunition purpose. In  
6 filing this action, which shall be based upon an arrest report or  
7 other report by a law enforcement agency, reporting an offense  
8 committed on the property and documented by the observations  
9 of a police officer, the city prosecutor or city attorney shall use  
10 the procedures set forth in Chapter 4 (commencing with Section  
11 1159) of Title 3 of Part 3 of the Code of Civil Procedure, except  
12 that in cases filed under this section, the following also shall apply:

13 (1) (A) Prior to filing an action pursuant to this section, the city  
14 prosecutor or city attorney shall give 30 calendar days' written  
15 notice to the owner, requiring the owner to file an action for the  
16 removal of the person who is in violation of the nuisance or illegal  
17 purpose provisions of subdivision 4 of Section 1161 of the Code  
18 of Civil Procedure with respect to an unlawful weapons or  
19 ammunition purpose.

20 (B) This notice shall include sufficient documentation  
21 establishing a violation of the nuisance or illegal purpose provisions  
22 of subdivision 4 of Section 1161 of the Code of Civil Procedure  
23 and an advisement to the owner of the assignment provision  
24 contained in subparagraph (D). The notice shall be served upon  
25 the owner and the tenant in accordance with subdivision (e).

26 (C) The notice to the tenant shall, in at least 14-point bold type,  
27 meet the following requirements:

28 (i) The notice shall contain the following language:

29 “(Date)

30 (Name of tenant)

31 (Address of tenant)

32 Re: Civil Code Section 3485

33 Dear (name of tenant):

34 This letter is to inform you that an eviction action may soon be  
35 filed in court against you for suspected firearms activity. According  
36 to state law, Civil Code Section 3485 provides for eviction of  
37 persons engaging in such conduct, as described below.

38 (Name of police department) records indicate that you, (name  
39 of arrestee), were arrested on (date) for violations of (list violations)  
40 on (address of property).

1 A letter has been sent to the property owner(s) advising of your  
2 arrest and the requirements of state law, as well as the landlord's  
3 option to assign the unlawful detainer action to the (name of city  
4 attorney or prosecutor's office).

5 A list of legal assistance providers is provided below. Please  
6 note, this list is not exclusive and is provided for your information  
7 only; the (name of city attorney or prosecutor's office) does not  
8 endorse or recommend any of the listed agencies.

9 Sincerely,

10 (Name of deputy city attorney or city prosecutor)

11 Deputy City (Attorney or Prosecutor)

12 Notice to Tenant: This notice is not a notice of eviction. You  
13 should call (name of the city attorney or prosecutor pursuing the  
14 action) at (telephone number) or a legal assistance provider to stop  
15 the eviction action if any of the following is applicable:

16 (1) You are not the person named in this notice.

17 (2) The person named in the notice does not live with you.

18 (3) The person named in the notice has permanently moved.

19 (4) You do not know the person named in the notice.

20 (5) You want to request that only the person involved in the  
21 nuisance be evicted, allowing the other residents to stay.

22 (6) You have any other legal defense or legal reason to stop the  
23 eviction action. A list of legal assistance providers is attached to  
24 this notice. Some provide free legal assistance if you are eligible."

25 (ii) The notice shall be provided to the tenant in English and,  
26 as translated, in all of the languages identified in subdivision (b)  
27 of Section 1632.

28 (D) The owner shall, within 30 calendar days of the mailing of  
29 the written notice, either provide the city prosecutor or city attorney  
30 with all relevant information pertaining to the unlawful detainer  
31 case, or provide a written explanation setting forth any  
32 safety-related reasons for noncompliance, and an assignment to  
33 the city prosecutor or city attorney of the right to bring an unlawful  
34 detainer action against the tenant.

35 (E) The assignment shall be on a form provided by the city  
36 prosecutor or city attorney and may contain a provision for costs  
37 of investigation, discovery, and reasonable attorney's fees, in an  
38 amount not to exceed six hundred dollars (\$600).

39 (F) If the city prosecutor or city attorney accepts the assignment  
40 of the right of the owner to bring the unlawful detainer action, the

1 owner shall retain all other rights and duties, including the handling  
2 of the tenant's personal property, following issuance of the writ  
3 of possession and its delivery to and execution by the appropriate  
4 agency.

5 (2) Upon the failure of the owner to file an action pursuant to  
6 this section, or to respond to the city prosecutor or city attorney  
7 as provided in paragraph (1), or having filed an action, if the owner  
8 fails to prosecute it diligently and in good faith, the city prosecutor  
9 or city attorney may file and prosecute the action, and join the  
10 owner as a defendant in the action. This action shall have  
11 precedence over any similar proceeding thereafter brought by the  
12 owner, or to one previously brought by the owner and not  
13 prosecuted diligently and in good faith. Service of the summons  
14 and complaint upon the defendant owner shall be in accordance  
15 with Sections 415.10, 415.20, 415.30, 415.40, and 415.50 of the  
16 Code of Civil Procedure.

17 (3) If a jury or court finds the defendant tenant guilty of unlawful  
18 detainer in a case filed pursuant to paragraph (2), the city  
19 prosecutor or city attorney may be awarded costs, including the  
20 costs of investigation and discovery and reasonable attorney's fees.  
21 These costs shall be assessed against the defendant owner, to whom  
22 notice was directed pursuant to paragraph (1), and once an abstract  
23 of judgment is recorded, it shall constitute a lien on the subject  
24 real property.

25 (4) This section shall not prevent a local governing body from  
26 adopting and enforcing laws, consistent with this section, relating  
27 to weapons or ammunition abatement. If local laws duplicate or  
28 supplement this section, this section shall be construed as providing  
29 alternative remedies and not preempting the field.

30 (5) This section shall not prevent a tenant from receiving relief  
31 against a forfeiture of a lease pursuant to Section 1179 of the Code  
32 of Civil Procedure.

33 (b) In any proceeding brought under this section, the court may,  
34 upon a showing of good cause, issue a partial eviction ordering  
35 the removal of any person, including, but not limited to, members  
36 of the tenant's household if the court finds that the person has  
37 engaged in the activities described in subdivision (a). Persons  
38 removed pursuant to this section may be permanently barred from  
39 returning to or reentering any portion of the entire premises. The  
40 court may further order as an express condition of the tenancy that

1 the remaining tenants shall not give permission to or invite any  
2 person who has been removed pursuant to this subdivision to return  
3 to or reenter any portion of the entire premises.

4 (c) For purposes of this section, “unlawful weapons or  
5 ammunition purpose” means the illegal use, manufacture, causing  
6 to be manufactured, importation, possession, possession for sale,  
7 sale, furnishing, or giving away of any of the following:

8 (1) A firearm, as defined in subdivision (a) of Section 16520 of  
9 the Penal Code.

10 (2) Any ammunition, as defined in subdivision (b) of Section  
11 16150 of the Penal Code or in Section 16650 or 16660 of the Penal  
12 Code.

13 (3) Any assault weapon, as defined in Section 30510 or 30515  
14 of the Penal Code.

15 (4) Any .50 BMG rifle, as defined in Section 30530 of the Penal  
16 Code.

17 (5) Any tear gas weapon, as defined in Section 17250 of the  
18 Penal Code.

19 (d) Notwithstanding subdivision (b) of Section 68097.2 of the  
20 Government Code, a public entity may waive all or part of the  
21 costs incurred in furnishing the testimony of a peace officer in an  
22 unlawful detainer action brought pursuant to this section.

23 (e) The notice and documentation described in paragraph (1)  
24 of subdivision (a) shall be given in writing and may be given either  
25 by personal delivery or by deposit in the United States mail in a  
26 sealed envelope, postage prepaid, addressed to the owner at the  
27 address known to the public entity giving the notice, or as shown  
28 on the last equalized assessment roll, if not known. Separate notice  
29 of not less than 30 calendar days and documentation shall be  
30 provided to the tenant in accordance with this subdivision. Service  
31 by mail shall be deemed to be completed at the time of deposit in  
32 the United States mail. Proof of giving the notice may be made by  
33 a declaration signed under penalty of perjury by any employee of  
34 the public entity which shows service in conformity with this  
35 section.

36 (f) This section shall apply only in the County of Sacramento  
37 to any court with jurisdiction over unlawful detainer cases  
38 involving real property situated in the City of Sacramento.

1 (g) (1) The city attorney and city prosecutor of the County of  
2 Sacramento shall provide to the California Research Bureau the  
3 following information:

4 (A) The number of notices provided pursuant to paragraph (1)  
5 of subdivision (a).

6 (B) For each notice provided pursuant to paragraph (1) of  
7 subdivision (a), the following information:

8 (i) The name and age, as provided by the landlord, of each  
9 person residing at the noticed address.

10 (ii) Whether the person has previously received a notice pursuant  
11 to this section from the reporting city attorney or city prosecutor,  
12 and if so, whether the tenant vacated or was evicted as a result.

13 (C) For the tenant receiving the notice, whether the tenant has  
14 previously been arrested (other than an arrest that is the basis of  
15 this notice) for any of the offenses specified in subdivision (c).

16 (D) The number of cases filed by an owner, upon notice.

17 (E) The number of assignments executed by owners to the city  
18 attorney or city prosecutor.

19 (F) The number of 3-day, 30-day, or 60-day notices issued by  
20 the city attorney or city prosecutor.

21 (G) The number of cases filed by the city attorney or city  
22 prosecutor.

23 (H) The number of times that an owner is joined as a defendant  
24 pursuant to this section.

25 (I) For the subtotal of cases filed by an owner, the city attorney,  
26 or the city prosecutor, the following information:

27 (i) The number of judgments ordering an eviction or partial  
28 eviction, and specifying whether each was a default judgment,  
29 stipulated judgment, or judgment following trial.

30 (ii) The number of cases, listed by separate categories, in which  
31 the case was withdrawn or in which the tenant prevailed.

32 (iii) The number of other dispositions, and specifying the  
33 disposition.

34 (iv) The number of defendants represented by counsel.

35 (v) Whether the case was a trial by the court or a trial by a jury.

36 (vi) Whether an appeal was taken, and, if so, the result of the  
37 appeal.

38 (vii) The number of cases in which partial eviction was  
39 requested, and the number of cases in which the court ordered a  
40 partial eviction.

1 (J) For the subtotal of cases in which a notice was provided  
2 pursuant to subdivision (a), but no case was filed, the following  
3 information:

4 (i) The number of instances in which a tenant voluntarily vacated  
5 subsequent to receiving the notice.

6 (ii) The number of instances in which a tenant vacated a unit  
7 prior to the providing of the notice.

8 (iii) The number of cases in which the notice provided pursuant  
9 to subdivision (a) was erroneously sent to the tenant. This shall  
10 include a list of the reasons, if known, for the erroneously sent  
11 notice, such as reliance on information on the suspected violator's  
12 name or address that was incorrect, a clerical error, or any other  
13 reason.

14 (iv) The number of other resolutions, and specifying the type  
15 of resolution.

16 (K) For each case in which a notice was issued and the tenants  
17 either vacated the premises before a judgment in the unlawful  
18 detainer action or were evicted, the street address, city, and ZIP  
19 Code of residence where the tenants relocated, to the extent known.

20 (2) (A) Information compiled pursuant to this section shall be  
21 reported annually to the California Research Bureau on or before  
22 January 20.

23 (B) The California Research Bureau shall thereafter submit a  
24 brief report to the Senate and Assembly Committees on Judiciary  
25 once on or before March 20, 2016, and once on or before March  
26 20, 2018, summarizing the information collected pursuant to this  
27 section and evaluating the merits of the pilot programs established  
28 by this section. The report for this section shall be submitted in  
29 compliance with Section 9795 of the Government Code and may  
30 be combined with the California Research Bureau report submitted  
31 for the pilot program established by Section 3486. The 2018 report  
32 shall indicate whether the City of Sacramento has regularly  
33 reported to the bureau.

34 (3) Personally identifiable information submitted to the  
35 California Research Bureau pursuant to this section shall be  
36 confidential and shall not be publicly disclosed.

37 (h) This section shall remain in effect only until January 1, 2019,  
38 and as of that date is repealed, unless a later enacted statute, that  
39 is enacted before January 1, 2019, deletes or extends that date.



1 (PU Amended by Stats. 2009, Ch. 244, Sec. 1. (AB 530)  
2 Effective January 1, 2010. Repealed as of January 1, 2014, by its  
3 own provisions.)

4 SEC. 2. Section 3486.5 is added to the Civil Code, to read:

5 3486.5. (a) To abate the nuisance caused by illegal conduct  
6 involving a controlled substance purpose on real property, the city  
7 prosecutor or city attorney may file, in the name of the people, an  
8 action for unlawful detainer against any person who is in violation  
9 of the nuisance or illegal purpose provisions of subdivision 4 of  
10 Section 1161 of the Code of Civil Procedure, with respect to that  
11 controlled substance purpose. In filing this action, which shall be  
12 based upon an arrest report or other report by a law enforcement  
13 agency, reporting an offense committed on the property and  
14 documented by the observations of a police officer, the city  
15 prosecutor or city attorney shall use the procedures set forth in  
16 Chapter 4 (commencing with Section 1159) of Title 3 of Part 3 of  
17 the Code of Civil Procedure, except that in cases filed under this  
18 section, the following also shall apply:

19 (1) (A) Prior to filing an action pursuant to this section, the city  
20 prosecutor or city attorney shall give 30 calendar days' written  
21 notice to the owner, requiring the owner to file an action for the  
22 removal of the person who is in violation of the nuisance or illegal  
23 purpose provisions of subdivision 4 of Section 1161 of the Code  
24 of Civil Procedure with respect to a controlled substance purpose.

25 (B) This notice shall include sufficient documentation  
26 establishing a violation of the nuisance or illegal purpose provisions  
27 of subdivision 4 of Section 1161 of the Code of Civil Procedure  
28 and an advisement to the owner of the assignment provision  
29 contained in subparagraph (D). The notice shall be served upon  
30 the owner and the tenant in accordance with subdivision (e).

31 (C) The notice to the tenant shall, in at least 14-point bold type,  
32 meet the following requirements:

33 (i) The notice shall contain the following language:

34 “(Date)

35 (Name of tenant)

36 (Address of tenant)

37 Re: Civil Code Section 3486.5

38 Dear (name of tenant):

39 This letter is to inform you that an eviction action may soon be  
40 filed in court against you for suspected drug activity. According

1 to state law, Civil Code Section 3486 provides for eviction of  
2 persons engaging in such conduct, as described below.

3 (Name of police department) records indicate that you, (name  
4 of arrestee), were arrested on (date) for violations of (list violations)  
5 on (address of property).

6 A letter has been sent to the property owner(s) advising of your  
7 arrest and the requirements of state law, as well as the landlord's  
8 option to assign the unlawful detainer action to the (name of city  
9 attorney or prosecutor's office).

10 A list of legal assistance providers is provided below. Please  
11 note, this list is not exclusive and is provided for your information  
12 only; the (name of city attorney or prosecutor's office) does not  
13 endorse or recommend any of the listed agencies.

14 Sincerely,

15 (Name of deputy city attorney or city prosecutor)

16 Deputy City (Attorney or Prosecutor)

17 Notice to Tenant: This notice is not a notice of eviction. You  
18 should call (name of the city attorney or prosecutor pursuing the  
19 action) at (telephone number) or a legal assistance provider to stop  
20 the eviction action if any of the following is applicable:

21 (1) You are not the person named in this notice.

22 (2) The person named in the notice does not live with you.

23 (3) The person named in the notice has permanently moved.

24 (4) You do not know the person named in the notice.

25 (5) You want to request that only the person involved in the  
26 nuisance be evicted, allowing the other residents to stay.

27 (6) You have any other legal defense or legal reason to stop the  
28 eviction action.

29 A list of legal assistance providers is attached to this notice.  
30 Some provide free legal assistance if you are eligible."

31 (ii) The notice shall be provided to the tenant in English and,  
32 as translated, in all of the languages identified in subdivision (b)  
33 of Section 1632.

34 (D) The owner shall, within 30 calendar days of the mailing of  
35 the written notice, either provide the city prosecutor or city attorney  
36 with all relevant information pertaining to the unlawful detainer  
37 case, or provide a written explanation setting forth any  
38 safety-related reasons for noncompliance, and an assignment to  
39 the city prosecutor or city attorney of the right to bring an unlawful  
40 detainer action against the tenant.

1 (E) The assignment shall be on a form provided by the city  
2 prosecutor or city attorney and may contain a provision for costs  
3 of investigation, discovery, and reasonable attorney's fees, in an  
4 amount not to exceed six hundred dollars (\$600).

5 (F) If the city prosecutor or city attorney accepts the assignment  
6 of the right of the owner to bring the unlawful detainer action, the  
7 owner shall retain all other rights and duties, including the handling  
8 of the tenant's personal property, following issuance of the writ  
9 of possession and its delivery to and execution by the appropriate  
10 agency.

11 (2) Upon the failure of the owner to file an action pursuant to  
12 this section, or to respond to the city prosecutor or city attorney  
13 as provided in paragraph (1), or having filed an action, if the owner  
14 fails to prosecute it diligently and in good faith, the city prosecutor  
15 or city attorney may file and prosecute the action, and join the  
16 owner as a defendant in the action. This action shall have  
17 precedence over any similar proceeding thereafter brought by the  
18 owner, or to one previously brought by the owner and not  
19 prosecuted diligently and in good faith. Service of the summons  
20 and complaint upon the defendant owner shall be in accordance  
21 with Sections 415.10, 415.20, 415.30, 415.40, and 415.50 of the  
22 Code of Civil Procedure.

23 (3) If a jury or court finds the defendant tenant guilty of unlawful  
24 detainer in a case filed pursuant to paragraph (2), the city  
25 prosecutor or city attorney may be awarded costs, including the  
26 costs of investigation and discovery and reasonable attorney's fees.  
27 These costs shall be assessed against the defendant owner, to whom  
28 notice was directed pursuant to paragraph (1), and once an abstract  
29 of judgment is recorded, it shall constitute a lien on the subject  
30 real property.

31 (4) Nothing in this section shall prevent a local governing body  
32 from adopting and enforcing laws, consistent with this section,  
33 relating to drug abatement. If local laws duplicate or supplement  
34 this section, this section shall be construed as providing alternative  
35 remedies and not preempting the field.

36 (5) This section shall not prevent a tenant from receiving relief  
37 against a forfeiture of a lease pursuant to Section 1179 of the Code  
38 of Civil Procedure.

39 (b) In any proceeding brought under this section, the court may,  
40 upon a showing of good cause, issue a partial eviction ordering

1 the removal of any person, including, but not limited to, members  
2 of the tenant's household if the court finds that the person has  
3 engaged in the activities described in subdivision (a). Persons  
4 removed pursuant to this section may be permanently barred from  
5 returning to or reentering any portion of the entire premises. The  
6 court may further order as an express condition of the tenancy that  
7 the remaining tenants shall not give permission to or invite any  
8 person who has been removed pursuant to this subdivision to return  
9 to or reenter any portion of the entire premises.

10 (c) For the purposes of this section, "controlled substance  
11 purpose" means the manufacture, cultivation, importation into the  
12 state, transportation, possession, possession for sale, sale,  
13 furnishing, administering, or giving away, or providing a place to  
14 use or fortification of a place involving, cocaine, phencyclidine,  
15 heroin, methamphetamine, or any other controlled substance, in a  
16 violation of subdivision (a) of Section 11350, Section 11351,  
17 11351.5, 11352, or 11359, subdivision (a) of Section 11360, or  
18 Section 11366, 11366.6, 11377, 11378, 11378.5, 11379, 11379.5,  
19 11379.6, or 11383 of the Health and Safety Code.

20 (d) Notwithstanding subdivision (b) of Section 68097.2 of the  
21 Government Code, a public entity may waive all or part of the  
22 costs incurred in furnishing the testimony of a peace officer in an  
23 unlawful detainer action brought pursuant to this section.

24 (e) The notice and documentation described in paragraph (1)  
25 of subdivision (a) shall be given in writing and may be given either  
26 by personal delivery or by deposit in the United States mail in a  
27 sealed envelope, postage prepaid, addressed to the owner at the  
28 address known to the public entity giving the notice, or as shown  
29 on the last equalized assessment roll, if not known. Separate notice  
30 of not less than 30 calendar days and documentation shall be  
31 provided to the tenant in accordance with this subdivision. Service  
32 by mail shall be deemed to be completed at the time of deposit in  
33 the United States mail. Proof of giving the notice may be made by  
34 a declaration signed under penalty of perjury by any employee of  
35 the public entity which shows service in conformity with this  
36 section.

37 (f) This section shall apply only in the County of Sacramento  
38 any court with jurisdiction over unlawful detainer cases involving  
39 real property situated in the City of Sacramento.

1 (g) (1) The city attorney and city prosecutor of the County of  
2 Sacramento shall provide to the California Research Bureau the  
3 following information:

4 (A) The number of notices provided pursuant to paragraph (1)  
5 of subdivision (a).

6 (B) For each notice provided pursuant to paragraph (1) of  
7 subdivision (a), the following information:

8 (i) The name and age, as provided by the landlord, of each  
9 person residing at the noticed address.

10 (ii) Whether the person has previously received a notice pursuant  
11 to this section from the reporting city attorney or city prosecutor,  
12 and if so, whether the tenant vacated or was evicted as a result.

13 (C) For the tenant receiving the notice, whether the tenant has  
14 previously been arrested (other than an arrest that is the basis of  
15 this notice) for any of the offenses specified in subdivision (c).

16 (D) The number of cases filed by an owner, upon notice.

17 (E) The number of assignments executed by owners to the city  
18 attorney or prosecutor.

19 (F) The number of three-day, 30-day, or 60-day notices issued  
20 by the city attorney or city prosecutor.

21 (G) The number of cases filed by the city attorney or city  
22 prosecutor.

23 (H) The number of times that an owner is joined as a defendant  
24 pursuant to this section.

25 (I) For the subtotal of cases filed by an owner, the city attorney,  
26 or the city prosecutor, the following information:

27 (i) The number of judgments ordering an eviction or partial  
28 eviction specifying whether each was a default judgment, stipulated  
29 judgment, or judgment following trial.

30 (ii) The number of cases, listed by separate categories, in which  
31 the case was withdrawn or in which the tenant prevailed.

32 (iii) The number of other dispositions and specifying the  
33 disposition.

34 (iv) The number of defendants represented by counsel.

35 (v) Whether the case was a trial by the court or a trial by jury.

36 (vi) Whether an appeal was taken, and, if so, the result of the  
37 appeal.

38 (vii) The number of cases in which partial eviction was  
39 requested, and the number of cases in which the court ordered a  
40 partial eviction.

1 (J) For the subtotal of cases in which a notice was provided  
2 pursuant to subdivision (a), but no case was filed, the following  
3 information:

4 (i) The number of instances in which a tenant voluntarily vacated  
5 subsequent to receiving the notice.

6 (ii) The number of instances in which a tenant vacated a unit  
7 prior to the providing of the notice.

8 (iii) The number of cases in which the notice provided pursuant  
9 to subdivision (a) was erroneously sent to the tenant. This shall  
10 include a list of the reasons, if known, for the erroneously sent  
11 notice, such as reliance on information on the suspected violator's  
12 name or address that was incorrect, a clerical error, or other reason.

13 (iv) The number of other resolutions.

14 (K) For each case in which a notice was issued and the tenants  
15 either vacated the premises before a judgment in the unlawful  
16 detainer action or were evicted, the street address, city, and ZIP  
17 Code of residence where the tenants relocated, to the extent known.

18 (2) (A) Information compiled pursuant to this section shall be  
19 reported annually to the California Research Bureau on or before  
20 January 20.

21 (B) The California Research Bureau shall thereafter submit a  
22 brief report to the Senate and Assembly Committees on Judiciary  
23 once on or before March 20, 2016, and once on or before March  
24 20, 2018, summarizing the information collected pursuant to this  
25 section and evaluating the merits of the pilot programs established  
26 by this section. The report for this section shall be submitted in  
27 compliance with Section 9795 of the Government Code and may  
28 be combined with the California Research Bureau report submitted  
29 for the pilot program established by Section 3485. The 2018 report  
30 shall indicate whether the City of Sacramento has regularly  
31 reported to the bureau.

32 (3) Personally identifiable information submitted to the  
33 California Research Bureau pursuant to this section shall be  
34 confidential and shall not be publicly disclosed.

35 (h) This section shall remain in effect only until January 1, 2019,  
36 and as of that date is repealed, unless a later enacted statute, that  
37 is enacted before January 1, 2019, deletes or extends that date.

38 SEC. 3. The Legislature finds and declares that a special law  
39 is necessary and that a general law cannot be made applicable  
40 within the meaning of Section 16 of Article IV of the California

1 Constitution because the City of Sacramento has a unique and  
2 historic role in reporting data regarding city attorney sponsored  
3 unlawful detainer actions and outcomes to the California Research  
4 Bureau in assessing the effectiveness of this program.

5 SEC. 4. If the Commission on State Mandates determines that  
6 this act contains costs mandated by the state, reimbursement to  
7 local agencies and school districts for those costs shall be made  
8 pursuant to Part 7 (commencing with Section 17500) of Division  
9 4 of Title 2 of the Government Code.

O